

Respondent.

Judge Christopher A. Boyko

Furthermore, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an

appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

Dated:9/23/2008

S/Christopher A. Boyko

CHRISTOPHER A. BOYKO  
UNITED STATES DISTRICT JUDGE